United Nations Convention on the Law of the Sea SPLOS/L.38

Meeting of States Parties

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Draft decision on budgetary matters of the International Tribunal for the Law of the Sea for 2004

1. As in the financial period 2003, it is expected that appropriations under certain budget lines of the budget approved for 2004 might not be sufficient for expenditures for that period for reasons beyond the control of the Tribunal, namely:

(a) Increases in the standard costs for staff and common staff costs as applied within the United Nations common system will lead to an increase of $430,000 in these budget lines;

(b) If the present trend continues, exchange-rate fluctuations between the United States dollar and the euro since the thirteenth Meeting of State Parties will result in an increase of $110,000 for the maintenance of premises, where expenditure is in euros.

2. The Tribunal intends, wherever possible, to absorb within existing appropriations increases resulting from the above factors by using savings achieved in other budget lines.

3. However, in order to incur expenditure necessary for the functioning of the Tribunal, it may be necessary, after having recourse to transfers between appropriation sections, to have additional financial resources available. For this purpose, the Tribunal proposes that the Meeting of States Parties be requested to authorize the Registrar to use savings from the financial period 2002, instead of requesting a supplementary budget. The savings from the financial period 2003 ($101,000) would be deducted from the contributions of States Parties for 2005-2006.

4. Attached is a draft decision for consideration by the Meeting of States Parties.

Draft decision on budgetary matters of the International Tribunal for the Law of the Sea for 2004

1. In the event that the Tribunal is unable to meet approved expenditures for 2004 from appropriations made with respect to the budget lines "Established posts" and "Common staff costs", the Meeting of States Parties authorizes the Registrar to

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incur expenditures to the extent that the shortfall in appropriations results from unforeseeable increases in daily subsistence allowance (DSA), salary costs and common costs, as applied within the United Nations common system.

2. In the event that the Tribunal is unable to meet approved expenditures for 2004 from appropriations made in the budget line "Maintenance of premises", the Meeting of States Parties authorizes the Registrar to incur expenditures to the extent that the shortfall in appropriations results from exchange-rate fluctuations.

3. The Meeting of States Parties authorizes the Tribunal to finance overexpenditures referred to in paragraphs 1 and 2 by transfers between appropriation sections as far as possible and, if necessary, by using the savings from the financial period 2002.

4. The Meeting of States Parties further decides that the Registrar shall report to the fifteenth Meeting of States Parties on any action taken pursuant to paragraph 3 above, together with the circumstances relating thereto.